



#13/B  
DNT  
3-6-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Walke *et al.* Group Art Unit: 1654  
Application No.: 09/813,290 Examiner: B.D. Chism  
Filed: 03/20/01  
Title: Human Secreted Proteins and Polynucleotides Atty. Docket No.: LEX-0151-USA  
Encoding the Same (As amended)

**AMENDMENT AND RESPONSE TO OFFICE ACTION**  
**DATED OCTOBER 22, 2002**

Commissioner for Patents  
Arlington, VA 22202

Sir:

RECEIVED  
FEB 26 2003  
TECH CENTER 1600/2900

Applicants acknowledge the receipt of the Office Action ("the Action") mailed on October 22, 2002 (Paper No. 11), which has been carefully reviewed and studied. The Examiner is respectfully requested to enter the following amendments. Reexamination and reconsideration of the application is requested in view of the following amendments and remarks. In order to facilitate the Examiner's evaluation of the application, Applicants have attempted to address the objections and rejections in Paper No. 11 in the same order in which they were originally raised.

A Petition for an Extension of Time of one month to and including February 22, 2003 and authorization to deduct the fee as required under 37 C.F.R. § 1.17(a)(1) from Applicants' representatives Deposit Account are included. The response is thus timely filed. Applicants believe no fees in addition to the fee for the extension of time are due in connection with this response. However, the Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 50-0892.

Also included as Exhibit A is a clean version of the pending claims; as Exhibit B is a marked-up version of the claims; as Exhibit C is a clean copy of the amended title; as Exhibit D is a marked up copy of the original title; as Exhibit E is an amino acid sequence comparison between SEQ ID NO: 3

and BAA98132; as Exhibit F is the information accompanying the Homo sapiens semaphorin of accession number AB029496; as Exhibit G is comparison of the amino acid sequence of SEQ ID NO: 3 with that of SEQ ID NO 1; and as Exhibit H is a copy of the review article entitled "Molecular Mechanisms of Axonal Guidance" (Science 298:1959-1964, 2002).

### AMENDMENT

#### **In the Specification:**

Please replace the original title with the following title:

--HUMAN SECRETED PROTEINS AND POLYNUCLEOTIDES ENCODING THE SAME.--

#### **In the claims:**

Please amend Claim 1 to read as follows.

B1

1.(Amended) An isolated nucleic acid molecule comprising [at least 24 contiguous bases of] the nucleotide sequence [first disclosed in] of SEQ ID NO: 1.

Please add new claims 11 and 12.

B2

11.(New) An expression vector comprising a nucleic acid sequence of Claim 4.

12.(New) A cell comprising the expression vector of Claim 11.

### RESPONSE

#### **I. Status of the Claims**

Claim 1 has been amended. Claims 5-10 have been cancelled without prejudice or disclaimer as being drawn to non-elected inventions. New claims 11 and 12 have been added to more clearly claim certain aspects of the present invention. Claims 1-4, 11 and 12 are therefore presently pending in the case. For the convenience of the Examiner, a clean copy of the pending claims is attached hereto as Exhibit A. In compliance with 37 C.F.R. § 1.121(c)(1)(ii), a marked up copy of the original claims